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Index by Subject

AGENCY

- **Agent's Prevention and Control of Professional Liability Exposures**, Andrew F. Whitman, Ph.D., J.D., CPCU, CLU. Methods of preventing and reducing agents' liability are reviewed in the context of the "special circumstances" doctrine and insurer solvency, with practical tips to reduce liability in the insurance process from advertising through claims. **June, p. 112**
- **Competitive Intelligence Systems for the Independent Insurance Agent**, Troy A. Festervand, Ph.D., and Joe H. Murray Jr., Ph.D., CPCU, CLU, ChFC. The authors propose a systematic process through which independent agents can study the competitive environment to which they are exposed. Through the use of this process, agents can better position themselves to compete effectively. **March, p. 31**
- **Depreciation of Customer-Based Intangibles: Good News for Taxpayers**, Mary Ann Boose, Ph.D., CLU, and Virginia S. Iutenbach, CPA. For insurance agency purchases after August 10, 1993, the Revenue Reconciliation Act of 1993 requires depreciation of customer-based intangibles and goodwill over a 15-year life. If structured correctly, purchases prior to this date may take advantage of the recent Supreme Court ruling that qualifies the cost of the customer base for depreciation over its useful life. Either alternative will increase the market value of insurance agencies and companies. **December, p. 232**

BUSINESS INSURANCE

- **The Level of Legal Duty Is the Agent's Choice**, Andrew F. Whitman, Ph.D., J.D., CPCU, CLU. Legal standards for agent's conduct are explained in the context of the evolving "special circumstances" doctrine. Case examples of agent's duties are given for each stage of the insurance process, from policy application through expiration. **March, p. 14**
- **Risk Management in Chapter 11**, Scott M. Sanderson, CPCU, Opinion. Chapter 11 bankruptcy filings have caused much concern and misunderstanding among insureds, insurers, and brokers. When a filing occurs, the interested parties seldom have any idea of the rules or of how to respond. This article was produced to provide a more reasoned approach when bankruptcy occurs. **June, p. 75**
- **The Legal Burden of Businesses to Protect Customers from Criminal Attacks**, James R. Jones, CPCU. This article analyzes a trend in the United States of civil courts expanding the circumstances

in which liability may be found against premises owners for injuries resulting from criminal attacks. The article explains some of the legal reasoning involved in these cases and gives examples of how these court decisions affect property owners.

September, p. 157

- **Business Interruption Insurance Using Statistics to Project Values for Business Income Insurance**, Itzhak Weinstock, CPCU, CPA. Determining the proper amount of business income insurance is often a problematic proposition. Currently the guidance provided by insurers is woefully insufficient and unsophisticated. There are a number of statistical tools available to improve the reliability of the projection, to supplement the more commonly used judgmental nonstatistical methods. The most sophisticated technique is regression analysis, whose key advantage is that it gives us the ability to quantify the probable error of the estimate. **December, p. 222**

CLAIMS

- **Taking the Emotion Out of Workers Compensation Stress Claims**, Jon Gice, CPCU. While some jurisdictions significantly limit the compensability of these claims, other jurisdictions have awarded benefits and set a precedent for the rising number of these claims. The increased numbers of these claims, with their accompanying costs, have been a major source of anxiety for workers compensation professionals. **June, p. 98**
- **The Casualty Claim File: Protection and Disclosure**, Thomas M. Hamilton, J.D., and Jeffrey A. Siderius, J.D. This article examines the basic principles of discovery and several issues that are arising with increasing frequency as larger and more complex litigation increasingly focuses on the insurer's claim file. The article then examines an emerging area in which these principles are examined anew—litigation between ceding insurers and reinsurers. **September, p. 177**
- **Too Much Quarreling**, Editorial, Michael L. Murray, Ph.D., CPCU, CLU. **December, p. 195**

COVERAGE

- **Too Much Quarreling**, Editorial, Michael L. Murray, Ph.D., CPCU, CLU. **December, p. 195**

DECISION MAKING

- **Competitive Intelligence Systems for the Independent Insurance Agent**, Troy A. Festervand, Ph.D., and Joe H. Murray Jr., Ph.D., CPCU, CLU, ChFC. (See Agency) **March, p. 31**

EARTHQUAKE

- **The Earthquake That Didn't Happen**, Central Illinois Chapter, The Society of CPCU. In early 1990, Dr. Iben Browning predicted that a major earthquake would occur along the New Madrid Fault on or around December 3 of that same year. This article explores the public reaction and subsequent financial ramifications from an insurance perspective. **September, p. 136**

EDUCATION

- **So What's to Teach?**, Michael L. Murray, Ph.D., CPCU, CLU, Editorial. **September, p. 131**

FINANCIAL

- **Catastrophe Insurance Futures**, Stephen P. D'Arcy, Ph.D., and Virginia Grace France, Ph.D. Catastrophe insurance futures were introduced by the Chicago Board of Trade in late 1992. This article serves as a primer for insurance practitioners on these contracts, describing futures specifically. Possible uses of these contracts by insurers, regulatory constraints, and other problems, and actual trading experience are covered. **December, p. 202**
- **The Pros and Cons of Insurance Futures**, Russ Ray, Ph.D., Opinion. Insurance futures comprise a new class of financial products, the advantages of which could be quite impressive for insurance underwriters. Different from reinsurance, which typically targets regional insurers, insurance futures allow major underwriters to freeze projected loss ratios without incurring the delay costs, and restrictions of reinsurance. **December, p. 197**

INSURANCE

- **Insurance: Who Benefits?**, Editorial, Michael L. Murray, Ph.D., CPCU, CLU. **March, p. 3**

INTERNATIONAL

- **Property Insurance Coverage when the Insured is Careless: UK vs. US**, Durwood Ruegger, J.D., and Iskandar S. Hamwi, Ph.D. This article explores when, why, and how the common law of insurance that was once the same in both countries has become different when applying the standard of reasonable care with which the insured is required to comply when caring for his own property. **September, p. 148**

JUDICIAL

- **Environmental Liability and the Pollution Exclusion: Why Some Courts Find Coverage**, Bernard J. Daenzer, CPCU, and Edward Zampino, J.D. Insureds frequently seek coverage for gradual pollution discharge claims as coming within the "sudden and accidental" exception to certain exclusions. They allege not only that exclusion language is ambiguous on its face, but that the 'history' of that policy language shows that insurers' conduct has threatened the integrity of the judicial process. In this article, the authors discuss the litigation strategies addressing these allegations and evidence that they believe refutes such contentions. June, p. 84

LIABILITY

- **Burglar/Fire Alarm Discounts: Cost Effective for Insurers?**, Andrew J. Buck, Ph.D., Simon Hakim, Ph.D., and Mary Ann Gaffney. The authors calculated the monetary cost to insurers of alarm discounts and the savings resulting from reduced burglary and fire claims. They show that alarms provide net monetary benefits to insurers. Recommendations are made on how insurers can encourage installation of alarms without increasing the amount expended on the discounts. June, p. 107

- **The Legal Burden of Businesses to Protect Customers from Criminal Attacks**, James R. Jones, CPCU. (See Business Insurance) September, p. 157
- **The Level of Legal Duty Is the Agent's Choice**, Andrew F. Whitman, Ph.D., J.D., CPCU, CLU. (See Agency) March, p. 14

LIABILITY INSURANCE

- **Environmental Liability and the Pollution Exclusion: Why Some Courts Find Coverage**, Bernard J. Daenzer, CPCU, and Edward Zampino, J.D. (See Judicial) June, p. 84
- **The Mathematics of Retros**, Richard Carris, CPCU. If structured correctly, retros represent one of the best techniques for buyers of workers compensation insurance to control costs. This article provides various mathematical formulas that are valuable to the commercial lines underwriter and the risk manager. It is written from the point of view of the risk manager. March, p. 38
- **Were the 1986 CGL Policy Changes Necessary?**, William J. Warfel, Ph.D., CPCU. The author makes the case that, irrespective of whether ISO independently made the decision to revise the 1973 CGL policy, it was a reasonable response to insurability problems created by adverse legal interpretation of the 1973 CGL policy in long-tail product liability and environmental liability cases. March, p. 38

MANAGEMENT

- **Catastrophe Insurance Futures**, Stephen P. D'Arcy, Ph.D., and Virginia Grace France, Ph.D. (See Financial) December, p. 202

- **College Students: Their Attitudes about Insurance**, Connecticut Chapter, The Society of CPCU. This article outlines the key findings and implications of a national survey conducted by the Connecticut Chapter of The Society of the CPCU. The research explores the attitudes of 803 juniors and seniors at 20 public and private colleges and universities. March, p. 51
- **Rights and Responsibilities: The Consumer Contract**, Bruce McEwan, D.B.A., CPCU, Opinion. One way to deal with insured criticism about the insurance industry and a way to establish a more stable relationship between insureds and insurers is to be clear about the rights and responsibilities of the insured. June, p. 81

- **The Pros and Cons of Insurance Futures**, Russ Ray, Ph.D., Opinion. (See Financial) December, p. 197

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- **Environmental Liability and the Pollution Exclusion: Why Some Courts Find Coverage**, Bernard J. Daenzer, CPCU, and Edward Zampino, J.D. (See Judicial) June, p. 84

PROPERTY INSURANCE

- **Evaluating Master Trust Insurance Programs**, James F. Donahue, CPCU, CLU, Opinion. For decades, professional trustees have wrestled with the challenges of insuring their properties held in trust. A desire to achieve consistent treatment in the areas of substandard properties, liability limits, deductibles, and property valuation clauses has led trust real estate professionals to foster the development of master trust property programs. March, p. 8

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- **Property Insurance Coverage when the Insured is Careless: UK vs. US**, Durwood Ruegger, J.D., and Iskandar S. Hamwi, Ph.D. (See International) September, p. 148

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RESEARCH

- **On the Significance of Significance**, Michael L. Murray, Ph.D., CPCU, CLU, Editorial. June, p. 67

RISK MANAGEMENT

- **An Expert System for Retention Selection**, Mark Jablonowski, CPCU. A Computer program that helps make retention decisions is described. The program, a form of expert system, facilitates quick, consistent decisions by combining the knowledge of professional risk managers with the computer. Linguistic rules of thumb are incorporated using fuzzy logic, a system of logic that uses computers to manipulate approximate concepts. December, p. 214
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